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5/28/02  
Date

Susan LaMont  
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

POTTER et al.

**COPY OF PAPERS  
ORIGINALLY FILED**

Serial No.: 08/976,566

Group Art Unit: 1641

Filing Date: November 24, 1997

Examiner: J. Shaver

Title: ENHANCED IMMUNOGENICITY USING LEUKOTOXING CHIMERAS

**REQUEST FOR A CORRECTED FILING RECEIPT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Please furnish the undersigned with a corrected filing receipt for the above-identified application. The corrections needed are as follows:

Delete **\*\*SMALL ENTITY\*\***

Attached is a copy of the Filing Receipt with the correction highlighted. Also included is a copy of the Application Transmittal Letter showing that small entity status is no longer claimed.

It is believed that no fee is due. If for any reason a fee is found to be necessary, our Deposit Account No. 18-1648 may be charged therefor.

Respectfully submitted,

Date: 5/28/02

By: 

Roberta L. Robins  
Registration No. 33,208

ROBINS & PASTERNAK LLP  
545 Middlefield Road, Suite 180  
Menlo Park, CA 94025  
Telephone: (650) 325-7812  
Facsimile: (650) 325-7823



## UNITED STATES PATENT AND TRADEMARK OFFICE

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FEB 26 2002

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
08/976,566	11/24/1997	1645	395	9001-0016.01	45	1	1

20855  
ROBINS & PASTERNAK LLP  
545 MIDDLEFIELD ROAD  
SUITE 180  
MENLO PARK, CA 94025COPY OF PAPERS  
ORIGINALLY FILED

CONFIRMATION NO. 2057

CORRECTED FILING RECEIPT



\*OC000000007494636\*

Date Mailed: 02/19/2002

Receipt is acknowledged of a CPA in this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

ANDREW A. POTTER, SASKATOON, CANADA;  
MARK J. REDMOND, SASKATOON, CANADA;  
HUW P.A. HUGHES, SASKATOON, CANADA;

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## Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF 08/455,970 05/31/1995 PAT 5,708,155  
WHICH IS A DIV OF 07/960,932 10/14/1992 PAT 5,422,110  
WHICH IS A CIP OF 07/779,171 10/16/1991 ABN

TECH CENTER 1600/2900

## Foreign Applications

If Required, Foreign Filing License Granted 02/19/2002

CPA filed on: 01/22/2002

Projected Publication Date: 05/30/2002

Non-Publication Request: No

Early Publication Request: No



Title

DOCKETED RLR  
9001-0016.01

Preliminary Class

536

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL  
UNDER 37 CFR 1.53(d)

Atty Dkt No. 9002-0016.01

Address to:

Box CPA  
Assistant Commissioner for Patents  
Washington, D.C. 20231

First Named Inventor POTTER

Express Mail Label No. EV 036 420 089 US

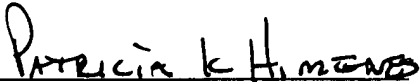
Total Pages 2

**EV036420089US**

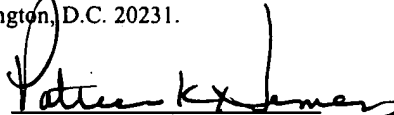
x

"Express Mail" Mailing Label No. **EV 036 420 089 US** Date of Deposit **January 22, 2002**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Box CPA, Washington, D.C. 20231.



(Typed or Printed Name of Person Mailing Paper or Fee)



(Signature of Person Mailing Paper or Fee)

This is a Request for a X continuation \_\_\_ divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application serial no. 08/976,566 filed on November 24, 1997, entitled ENHANCED IMMUNOGENICITY USING LEUKOTOXIN CHIMERAS.

1. \_\_\_ Enter the unentered amendment previously filed on \_\_\_ under 37 CFR 1.116 in the prior nonprovisional application.
2. \_\_\_ A preliminary amendment is enclosed.
3. \_\_\_ This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a. \_\_\_ DELETE the following inventor(s) named in the prior nonprovisional application:
  - b. \_\_\_ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. \_\_\_ A new Power of Attorney or authorization of agent (PTO/SB/81) is enclosed.
5. \_\_\_ Information Disclosure Statement (IDS) is enclosed:
  - a. \_\_\_ PTO-1449
  - b. \_\_\_ References

Total Claims 5 minus 20 = 0

x \$18.00 \$0

Independent Claims 1 minus 3 = 0

x \$84.00 \$0

Multiple dependent claims (if applicable)

\$280.00 \$0

BASIC FEE \$740

TOTAL OF ABOVE CALCULATIONS \$740

Reduction by 1/2 for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).

\$0

TOTAL \$740

6. ☒ Small entity status:

a. ☐ A small entity statement is enclosed.

b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.

c. ☒ is no longer claimed.

7. ☒ The Commissioner is hereby authorized to credit overpayments or charge any additional fees to Deposit Account No. 18-1648.

8. ☒ A check to cover the \$740 application fee is enclosed.

9. ☒ Other: Petition for Extension of Time in parent case; Blanket Petition For Extension of Time and Authorization to Charge or Credit Deposit Account; return postcard.

10. ☒ Correspondence address

Customer No. 20855  
ROBINS & PASTERNAK LLP  
90 Middlefield Road, Suite 200  
Menlo Park, CA 94025  
phone: (650) 325-7812  
fax: (650) 325-7823.

Bar Code:



20855

PATENT TRADEMARK OFFICE

1/22/02  
(date)

Roberta L. Robins  
Reg. No. 33,208

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Atty Dkt No. 9001-0016.01  
USSN: 08/976,566  
PATENT

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5/28/02 Susan LaMont  
Date Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

POTTER et al.

Serial No.: 08/976,566

Art Unit: 1641

Filing Date: November 24, 1997

Examiner: J. Shaver

Title: ENHANCED IMMUNOGENICITY USING LEUKOTOXIN  
CHIMERAS

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AMENDMENT TRANSMITTAL LETTER

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is an amendment in the above patent application in response to the Office Action of February 5, 2002.

☒ Petition for Extension of Time enclosed.

☒ No additional fee is required.

☒ Also enclosed: Version with Markings to Show Changes Made;  
Currently Pending Claims; Request for Corrected Filing Receipt;  
postcard

No. of Claims After Amendment	Most Claims Previously Paid		Extra Claims		Additional Fee				
A. Total Claims		-	=		x	\$18	=		\$
B. Ind. Claims		-	=		x	\$84	=		\$
C. If amended to contain multiple dependent claims, add 280						\$280	=		\$

D. Total Amendment Fee (Total of A, B & C)	=	
E. If small entity, 50% reduction of Total Amendment Fee (50% of D)	=	
F. Total Amendment Fee (D minus E)	=	\$

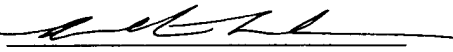
X A check for \$ 110 to cover the extension of time fee is attached.

\_\_\_ Charge \$ to Deposit Account No. 18-1648.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 18-1648.

Respectfully submitted,

Date: 5/28/02

By:   
 Roberta L. Robins  
 Registration No. 33,208  
 Attorney for Applicants

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